

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

DONALD R. POWERS,)
Institutional ID # 130453480,)
)
 Plaintiff,)
)
V.) CIVIL ACTION NO.
) 5:08-CV-146-C
RICHARD B. WILLS,)
Sheriff Bailey County, *et al.*,)
)
 Defendants.)

ORDER

The United States Magistrate Judge entered a Report and Recommendation on May 14, 2010. No objections have been filed.

This Court has made an independent review of the record in this case and finds that the Magistrate Judge's findings, conclusions and recommendation should be accepted and adopted.

It is, therefore, ORDERED that Plaintiff's civil rights complaint and all claims alleged therein are **DISMISSED WITH PREJUDICE** for failure to prosecute pursuant to Federal Rules of Civil Procedure 41(b).

Judgment shall be entered accordingly.

Any pending motions are **DENIED**.

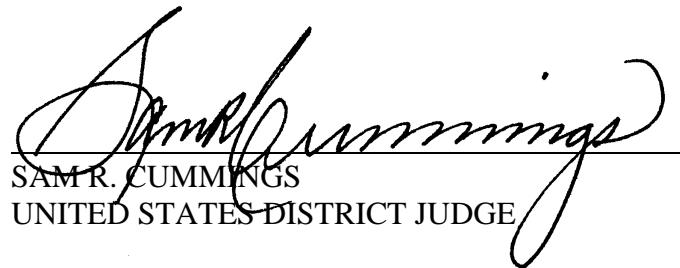
A copy of this order shall be sent by first class mail to Plaintiff at his last known address and to any attorney of record by first class mail or electronic notification.

Plaintiff is advised that if he appeals this Order, he will be required to pay the appeal fee of \$455.00 pursuant to the PLRA, and he must submit an application to proceed *in forma pauperis* and a 6-month Certificate of Inmate Trust Account at the same time he files his notice

of appeal.

SO ORDERED.

Dated June 2, 2010.



SAM R. CUMMINGS
UNITED STATES DISTRICT JUDGE